Residents Rights

VERMONT VETERANS' HOME

Policy Statement

It is the policy of the Vermont veterans' Home that a Resident's rights to dignity and privacy will be valued. *The facility ensures that a Resident can exercise his or her rights without interference, coercion, discrimination, or reprisal from the facility.* The facility will have a method to hear and respond to Residents grievances. All information provided to a Resident shall be in a format and language the Resident understands.

Policy Interpretation and Implementation

1. DIGNITY AS AN INDIVIDUAL

- 2. Residents have the right to be treated with dignity and respect.
- 3. Residents have the right to make a suggestion or voice a complaint without being interfered with or treated differently.
- 4. Residents have the right to visit or communicate with anyone Residents choose. Residents also have the right to refuse visitors Residents do not want to see.
- Residents have the right to be free from chemical restraints, and unnecessary mechanical restraint.
- 6. Also, Residents have the right to challenge the use of the restraint.
- 7. Residents have the right to stay here unless:
 - Staying here would adversely affect Residents welfare, or that or any other Residents;
 - b. We can no longer provide the care Residents need;
 - c. Residents bill is not paid.
- 8. If Residents are asked to leave, we must give Residents thirty (30) days notice, except in emergencies. Residents may appeal our decision.
- 9. If we change Residents room, we will give Residents 72 hours notice
- 10. Residents have the right to keep and use Residents personal belongings as long as there is enough space and they do not interfere with Residents roommate or other Residents.
- 11. Residents have the right to vote.
- 12. Residents have the right to choose Residents own doctor.
 - a. This facility ensures that each resident remains informed of the name, specialty, and way of contacting the physician and other primary care professionals responsible for their care.
- 13. Residents have the right to know Residents medical condition, and Residents have the right to help plan Residents care and to know about different ways to have Residents care or treatment provided.
 - a. Residents will be informed, in advance, of changes to their care plan.
 - b. Residents will be furnished, in advance, the type of care giver or

- professional that will furnish care.
- c. Residents will be informed in advance, by the physician or other practitioner or professional the risks and benefits of proposed care, of treatment and treatment alternatives or treatment options and to choose to chose the alternative option if the Resident prefers.
- 14. Residents have the right to refuse care or treatment, to the extent permitted by law, and to know what may happen if Residents refuse. This includes the right to leave the home. The home will not be held responsible if Residents choose to refuse treatment or care.
- 15. Residents have the right to privacy when someone visits and privacy in treatment and in care for Residents personal needs.
- 16. Residents have the right to send and receive mail unopened.
- 17. Residents have the right to use a telephone in a quiet place for private conversations.
- 18. Residents have the right to share a room with Residents spouse if Residents both live here.
- 19. Residents have the right to have all Residents records, medical or personal, kept confidential, except as required by law or regulation. Staff may see Residents records in order to provide proper care, but they cannot talk about Residents outside the nursing home.
 - a. The facility will provide a copy of the Resident's medical record in a form and manner that the resident can access and understand, including electronic, preferred by the Resident upon request, or in a language that the resident can understand with 2 working days advance notice to the facility
- 20. The facility may impose a reasonable, cost-based fee on the provisions of copies,
 - a. Labor for copying the records requested by the individual, whether in paper or electronic form.
 - b. Supplies for creating the paper copy or electronic media.
 - c. Postage, when the individual has requested the copy be mailed.
 - d. Summaries that translate information, in accordance with applicable law.
- 21. Residents have the right to know what kinds of services the Home offers and how they are paid for.
- 22. Residents have the right to manage their own money. The Home may help if Residents ask (in writing) and will show Residents financial records every three (3) months.
- 23. In the case of a resident who has not been adjudged incompetent by the state court, the resident has the right to designate a representative, in accordance with State law and any legal surrogate so designated my exercise the resident's rights to the extent provided by state law. Same-sex spouse of a resident must be afforded treatment equal to that afforded to an opposite-sex spouse if the marriage was valid in which it was celebrated.
 - a. The Resident Representative has the right to exercise the resident's right to the extent those rights are delegated to the representative.
 - b. The Resident retains the right to exercise those rights not delegated to a

Resident Representative, including the right to revoke delegation of rights, except as limited by State law.

- 24. The facility will treat the decisions of the Resident Representative as the decisions of the resident to the extent required by the court or delegated by the resident, in accordance with applicable law.
- 25. The facility shall not extent the Resident Representatives the right to make decisions on behalf of the Resident beyond the extent required by the court or delegated by the resident, in accordance with applicable law.
- 26. If this facility has reason to believe that a Resident Representative is making decisions or taking actions that are not in the best interest of the Resident, this facility will report such concerns when and in the manner required under State law.
- 27. In the case of a resident adjudged incompetent under the laws of the State by a court of competent jurisdiction, the right of the Resident devolve to and are exercised by the Resident Representative appointed under the State law to act on the Resident's behalf. The court-appointed Resident Representative exercises the Residents Right's to the extent judged necessary by a court of competent jurisdiction, in accordance with State law.
 - a. In the case of a Resident Representative whose decision-making authority is limited by State law or court appointment, the resident retains the right to make those decisions outside the representative's authority.
 - b. The resident's wishes and preferences must be considered in the exercise of rights by the representative.
 - c. To the extent practicable, the resident must be provided with opportunities to patriciate in the care planning process.

Regulatory Reference Sources and Revision Dates	
OBRA Regulatory Reference Numbers	F151, F152, F153, F154 , F155
Survey Tag Numbers	\$483.10(b). \$483.10(b)(3) - \$483.10(b)(7), \$483.10(g)(2). \$483.10(c), \$483.10(c)(6)
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